

1 MARY ANN SMITH  
Deputy Commissioner  
2 SEAN ROONEY  
Assistant Chief Counsel  
3 DANIELLE A. STOUMBOS (State Bar No. 264784)  
4 Senior Counsel  
5 Department of Business Oversight  
320 West 4<sup>th</sup> Street, Suite 750  
6 Los Angeles, California 90013  
7 Telephone: (213) 576-7591  
Facsimile: (213) 576-7181

8 Attorneys for the Complainant

10 BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT  
11 OF THE STATE OF CALIFORNIA

12 In the Matter of:

CRD NO.: 110492

13 THE COMMISSIONER OF BUSINESS  
14 OVERSIGHT,

15 Complainant,

ORDER SUMMARILY REVOKING  
INVESTMENT ADVISER CERTIFICATE

16 v.

(CORP. CODE SECTION 25242)

17 KERWIN BELEY & ASSOCIATES INC. an  
18 entity,

19 Respondent.

20  
21 TO: Kerwin Beley & Associates Inc.  
22 PO Box 19297  
Seattle, Washington 98109

23 Jan Lynn Owen, Commissioner of Business Oversight (Commissioner) of the Department of  
24 Business Oversight (DBO) finds that:

25 1. At all relevant times, Kerwin Beley & Associates Inc. (Kerwin Beley) was a Nevada  
26 corporation which held a valid and unrevoked investment adviser certificate issued by the  
27 Commissioner on June 25, 2012, pursuant to Corporations Code section 25230. Kerwin Beley was  
28 located at 200 West Mercer Street, Suite 407, Seattle, Washington 98119.

1           2.    On or about March 14, 2018, the Commissioner notified Kerwin Beley that it must  
2 designate an email address to receive an online examination form. In response to the  
3 Commissioner’s notification, Kerwin Beley designated an email address to receive the online  
4 examination form.

5           3.    On or about October 2, 2018, the Commissioner sent the online examination to Kerwin  
6 Beley to the email previously designated by Kerwin Beley. The Commissioner informed Kerwin  
7 Beley that the online examination must be completed and submitted to the Department by November  
8 16, 2018.

9           4.    The Commissioner sent four emails, dated October 15, 2018, October 26 or 29, 2018,  
10 November 5, 2018, and November 12, 2018, to Kerwin Beley’s designated email address, reminding  
11 Kerwin Beley of the November 16, 2018 deadline to complete and submit the online examination.

12           5.    Despite the Commissioner’s efforts, Kerwin Beley failed to timely complete and submit  
13 the online examination by the November 16, 2018 deadline.

14           6.    Kerwin Beley filed for and received a corporate dissolution on December 10, 2018. On  
15 April 13, 2019, Kerwin Beley informed the Commissioner that it has no place of business, no clients,  
16 and no mailing address.

17           7.    Corporations Code section 25241 requires every investment adviser licensed by the  
18 Commissioner to maintain books and records, file reports with the Commissioner, and submit to  
19 examination by the Commissioner, as the Commissioner deems necessary or appropriate in the  
20 public interest or for the protection of investors.

21           8.    The Commissioner finds that Kerwin Beley has ceased to do business as an investment  
22 adviser and is no longer in existence.

23           Therefore, based on the foregoing and good cause appearing, it is hereby ORDERED under  
24 Corporations Code section 25242, subdivision (b) that Kerwin Beley & Associates Inc.’s investment  
25 adviser certificate is summarily revoked because Kerwin Beley ceased doing business as an  
26 investment adviser and is no longer in existence. It is further ORDERED under Corporations Code  
27 section 25242, subdivision (c) that Kerwin Beley & Associates Inc.’s investment adviser certificate  
28

1 is summarily revoked for violations of Corporations Code section 25241. This order is effective  
2 immediately.

3 This order is necessary, in the public interest, for the protection of investors and consistent  
4 with the purposes, policies, and provisions of the Corporate Securities Law of 1968.

5 Dated: April 24, 2019

6 JAN LYNN OWEN  
7 Commissioner of Business Oversight

8  
9 By: \_\_\_\_\_  
10 MARY ANN SMITH  
11 Enforcement Division  
12 Department of Business Oversight  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28